

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office -OCT--6-1987- NEW PRIORITY DATE: JUN 22 1992

Returned to applicant for correction DEC 7 1987

Corrected application filed JAN 11 1988

Map filed MAR 2 1991 under 43277

The applicant ESMERALDA EXTRACTION CORPORATION, a Nevada corporation,

P.O. Box 353, of Tonopah, Nevada,

Street and No. or P.O. Box No. City or Town

89049, hereby make application for permission to appropriate the public

State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

March 22, 1954 (State of Nevada) Ira N. Jacobson, President

1. The source of the proposed appropriation is UNDERGROUND

Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 1.0 C.F.S. second-feet

One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for mining, milling, and domestic purposes

Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point in the NW¼ SW¼, Section 2,

Describe as being within a 40-acre subdivision of public

T. 3 N., R. 40 E., M.D.B. & M., from whence the southwest corner of

survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

said Section 2 bears S. 13° 52' 52" W., 1991.44 feet distant.

6. Place of use That portion of the NE¼ SW¼ and NW¼ SE¼ lying North of U.S. Highway

Describe by legal subdivision. If on unsurveyed land, it should be so stated.

95 and the S¼ NE¼ and SE¼ NW¼, Section 3; also, that portion of the NW¼ SW¼ lying

North of U.S. Highway 95 and the SW¼ NW¼, Section 2, T. 3 N., R. 40 E., M.D.B. & M.

7. Use will begin about January 1 and end about December 31, of each year.

Month and Day

Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) It is proposed to drill, case, and

State manner in which water is to be diverted, i.e. diversion structure, ditches and

equip an underground well

flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$20,000.00

10. Estimated time required to construct works.....Two (2) years.....
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use.....Five (5) years.....

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water is to be utilized in conjunction with a gravel plant operation.

This water location was originally permitted under Permit No. 43282

and the applicant wishes to utilize the supporting map under that permit

in support of this application.

By s/Clint G. Quilter
Clint G. Quilter, Agent
P.O. Box 242
Tonopah, Nevada 89049

Compared jjk/se pm/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water place to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 2.208 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 30, 1990

Proof of completion of work shall be filed on or before January 30, 1991

Application of water to beneficial use shall be made on or before December 30, 1993

Proof of the application of water to beneficial use shall be filed on or before January 30, 1994

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed State Engineer of Nevada, have herunto set my hand and the seal of my

Cultural map filed office, this 30th day of December

Certificate No. A.D. 19 88 Issued State Engineer

(U)-5314 (Rev.)

APR 23 1992

CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Robert J. Langford P.E. STATE ENGINEER

Can. Received 5/19/92

CANCELLED

BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Robert J. Langford P.E. STATE ENGINEER

JUN 27 1996

(PERMIT TERMS CONTINUED)

No perforations shall be put in the production casing from ground level to 100 feet.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The total combined duty of water under Permits 30086, Certificate 10021, 30804, Certificate 10032, 51409 shall not exceed 126.118 million gallons annually.

